In re Patent Application of
NELSON ET AL.
Serial No. **10/733,739**
Filed: **DECEMBER 11, 2003**

REMARKS

Applicants thank the Examiner for the thorough examination of the present application and for extending all courtesies during a telephonic interview conducted December 6, 2006.

Independent Claims 1, 12, and 21 have been amended to recite a barrier wall within the housing and between the electrical generator and the AC step-up transformer, and a fire extinguishing system within the housing, as formerly recited within dependent Claims 4, 6, 14, 16, 25, and 26. To maintain consistency, Applicants have canceled Claims 4, 6, 14, 16-20, 25, and 26. Based on the arguments presented below, Applicants submit that all claims are believed to be patentable.

I. The Amended Claims

Amended independent Claim 1, for example, is directed to an electrical power generating apparatus including a housing, an electrical generator within the housing, and a turbine for driving the electrical generator. The electrical power generating apparatus further includes an alternating current (AC) step-up transformer within the housing and connected to the electrical generator. As now amended, the electrical power generating apparatus includes a barrier wall within the housing and between the electrical generator and the AC step-up transformer, and a fire extinguishing system within the housing. Amended independent Claim 21 is a method counterpart to Claim 1. Amended independent Claim 12 is directed an electrical power

generating apparatus similar to Claim 1 but with the added recitation of the electrical generator having an output of at least about 50-megawatts.

II. The Claims Are Patentable

The Examiner rejected previous independent Claims 1, 12, and 21 over the Severs et al. patent in view of Du Pleiss et al. patent. The Examiner also rejected former dependent Claims 4, 6, 14, 16, and 25-26 over the Severs et al. patent in view of Du Pleiss et al. patent and McSheffrey et al. patent.

The Severs et al. patent discloses a nuclear power plant structure **10** for an underwater nuclear power generating plant including three distinct housings **150** (reactor sphere), **180** (generating sphere), **190** (support sphere) for housing essential equipment. (Figure 2). The Severs et al. patent discloses the electrical generators located in the generator sphere **180** and the transformers located in the support sphere **190**. (Col. 12, lines 10-12). More simply, the Severs et al. patent discloses separate housings for the generator and the transformers. Moreover, the Severs et al. patent does not disclose a barrier wall within the generating sphere **180**.

The Examiner contends that the Severs et al. patent discloses a barrier wall within the housing and between the electrical generator and the AC step-up transformer. More particularly, the Examiner contends that Figure 5 of the Severs et al. patent discloses "a generator **174** within two walls of the sphere **180**". Applicants respectfully submit that the Examiner

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has mischaracterized the Severs et al. patent. The reactor sphere **150** depicted in Figure 5 discloses steam generators **174** and not electrical generators, as recited. The electrical generators of the Severs et al. patent are located in the generating sphere **180**. Accordingly, independent Claims 1, 12, and 21 are patentable over the prior art.

As correctly noted by the Examiner, the Severs et al. patent does not disclose the fire extinguishing system within the housing, as recited in independent Claims 1, 12, and 21. The Examiner looks to the McSheffrey et al. patent to provide such. The McSheffrey et al. patent discloses a traditional fire extinguisher assembly **10** and docking station **14** with circuitry **60** for alerting the docking station when the assembly is removed or when the internal pressure is low. (Col. 4, lines 1-3). The assembly is mounted onto a wall hanger or bracket **34**. The McSheffrey et al. patent discloses traditional manual operation of the fire extinguishing assembly **10**, i.e. the user manually removes the fire extinguishing assembly from the wall bracket **34** and depresses the trigger mechanism **24** to project fire extinguishing material. (Col. 4, lines 40-45).

Applicants respectfully submit that the combination of the Severs et al. patent and the McSheffrey et al. patent is improper, and that the Examiner has used the Applicants' own disclosure and impermissible hindsight to assemble disjoint pieces of the prior art to produce the claimed invention. Applicants submit that there is no motivation, teaching, or suggestion to piece together the cited references. Accordingly,

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independent Claims 1, 12, and 21 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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CONCLUSION

In view of the arguments and amendments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 3 day of January, 2007.